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**Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2815**

PATENT
ATTORNEY DOCKET NO.: 041514-5103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|-------------------------|
| In re Application of: |) | |
| |) | |
| Shingo IWASAKI et al. |) | Confirmation No.: 2640 |
| |) | |
| Application No.: 09/753,722 |) | Group Art Unit: 2815 |
| |) | |
| Filed: January 4, 2001 |) | Examiner: B. Baumeister |
| |) | |
| For: ELECTRON-EMITTING DEVICE AND |) | Mail Stop AF |
| METHOD OF MANUFACTURING THE |) | |
| SAME AND DISPLAY APPARATUS |) | |
| USING THE SAME |) | |

Commissioner for Patents
Customer Window, Mail Stop AF
Arlington, VA 22202

Sir:

REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is a Request for Reconsideration under 37 C.F.R. § 1.116 responding to the Final Office Action dated August 10, 2004.
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal (Replacement Sheet) ☐ Informal
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| Total Months Requested | Fee for Extension | [Fee for Small Entity] |
|---|----------------------|---------------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$120.00.

- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 39 | minus | 51 | 0 | x \$18 each= | + \$ 0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 3 | minus | 4 | 0 | x \$88 each= | + \$ 0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$300.00 | + \$ 0.00 |
| SUB-TOTAL = | | | | | | \$ 0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$ 0.00 |
| TOTAL FEE = | | | | | | \$ 0.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$120.00 for the one-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLPBy: Robert J. Goodell
Reg. No. 41,040

Dated December 10, 2004

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